

OGC Has Reviewed

OGC 75-3610

Approved For Release 2002/07/02 : CIA-RDP77-00512R000100030069-0

DDA 75-4700

3 October 1975

MEMORANDUM FOR: Deputy Director for Administration

SUBJECT: Classification Stamp for Non-CIA Documents

Jack:

In accordance with our telephone conversations, I am attaching a note from [redacted] to me about a special stamp for non-CIA-originated documents which contain classified information furnished by the Agency to the originator. I think such a system would be extremely helpful if we ever get into court in an FOI situation in demonstrating that we took contemporaneous action to afford the information the proper protection under E.O. 11652. I would suggest that all letters received from the two Select Committees be reviewed against this criteria and that this principle be incorporated in regulations for all incoming material.

[redacted] STATINTL

JOHN S. WARNER  
General Counsel

Attachment

cc: SC/DCI  
C/Review Staff

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NOTE FOR: John S. Warner

SUBJECT: Classification Stamp for Non-CIA Documents

John:

1. The notation below might be an adequate stamp to be used on documents originating with a congressional committee and addressed to this Agency. (It might also be appropriate for use with respect to documents originating elsewhere.) This stamp would be in addition to the classification stamp and the stamp which identifies the classifier and also concerns the application of the General Declassification Schedule.

This document, which originated outside the executive branch, incorporates information within the responsibility of CIA, the disclosure of which would damage national security. Accordingly, this document was classified by an authorized CIA classifier upon its receipt by the CIA.

2. The NSC Directive provides that documents are to be marked with the appropriate security classification and the appropriate notation concerning the General Declassification Schedule at "the time of origination." Without an amendment to the Order or Directive, the marking above might be useful, nevertheless, as indicating the executive branch's determination that the information warrants protection. It could be argued that the document "originates," within the above concept in the Directive, upon its initial receipt by an executive branch agency.

STATINTL

Associate General Counsel

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